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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,600	12/28/2001	Himanshu Pokharna	42390.P12382	2675
8791	7590	10/31/2003		
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD, SEVENTH FLOOR LOS ANGELES, CA 90025				
			EXAMINER EDWARDS, ANTHONY Q	
			ART UNIT 2835	PAPER NUMBER

DATE MAILED: 10/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/040,600

Applicant(s)

POKHARNA ET AL.

Examiner

Anthony Q. Edwards

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed September 22, 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 27, 28, 31, 32, 36-38 and 41-43 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,275,945 to Tsuji et al. Referring to claim 27, Tsuji et al. disclose a computer cooler 2 comprising a cold plate 31 to come into contact a portable computer system 1 to transfer heat away from the portable computer system; a cooling system to transfer heat from the cold plate to the environment surrounding the computer cooler when the portable computer system is in contact the cold plate; a first connector 21 to mate to an external connector 16 of the portable computer system when the portable computer system is in contact with the cold plate (see Figures 1, 2 and the corresponding specification). Tsuji et al. also disclose a controller 52 to receive an indication from the portable computer of the desired degree of cooling, and to control the cooling system to ensure that the desired degree of cooling indicated by the portable computer is achieved while the portable computer is in contact with the cold plate. See Figure 9 and the corresponding specification.

Referring to claim 28, Tsuji et al. disclose a computer cooler, further comprising a temperature sensor 45 to monitor at least one component 15 of the cooling system to aid in

controlling the degree of cooling achieved by the cooling system. See Figure 9 and column 6, lines 60-66.

Referring to claim 31, Tsuji et al. disclose a computer cooler, further comprising a second 20a/20b that replicates the external connector of the portable computer system, allowing an external device to be attached to the computer cooler through the second connector and thereby receive signals from the external connector of the portable computer system through the first and second connectors. See Figures 4, 6A and column 3, lines 45-52.

Referring to claims 32 and 38, Tsuji et al. disclose an apparatus and method of using an apparatus, comprising a portable computer system 1 with a heat spreader 30 to transfer heat away from at least one component 15 within the portable computer system; a cold plate 31 provided by a computer cooler 2 to come into contact with the heat spreader to transfer heat from the heat spreader of the portable computer; a cooling system within the computer cooler to transfer heat away from the cold plate to the environment surrounding the computer cooler when the heat spreader of the portable computer system 1s in contact with the cold plate (see Figures 1, 2 and the corresponding specification). Tsuji et al. also disclose a first connector 21 provided by the computer cooler to mate to an external connector 16 of the portable computer system when the portable computer system is in contact with the cold plate; and a controller 52 within the computer cooler to receive an indication from the portable computer of the desired degree of cooling and to control the cooling system to ensure that the desired degree of cooling indicated by the portable computer is achieved while the heat spreader of the portable computer is in contact with the cold plate. See Figure 9 and the corresponding specification.

Referring to claims 36 and 41, Tsuji et al. an apparatus and method of using an apparatus, further comprising a second connector 20a/20b provided by the computer cooler 2 that replicates the external connector of the portable computer system, allowing an external device to be attached to the computer cooler through the second connector and thereby receive signals from the external connector of the portable computer system through the first and second connectors. See Figures 4, 6A and column 3, lines 45-52.

Referring to claims 37 and 43, Figure 7 of Tsuji et al. inherently shows an apparatus and method of using an apparatus, further comprising a component within the portable computer system having a feature that is disabled at a time when the heat spreader of the portable computer system is not in contact with the cold plate, and that is enabled at a time when the heat spreader of the portable computer is in contact with the cold plate.

Referring to claim 42, Tsuji et al. disclose a method, wherein placing a portable computer system 1 in contact with the cold plate 31 of a computer cooler 2 comprises placing a heat spreader 30 of the portable computer system in contact with the cold plate of the computer cooler. See Figure 2 and the corresponding specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 29, 33, 34, 39 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuji et al. in view of U.S. Patent No. 6,255,622 to May et al. Referring to claims 29 and 34, Tsuji et al. disclose the apparatus comprising a computer cooler as claimed, except for the temperature sensor monitoring the temperature of the cold plate. May et al. disclose an electronic device having external surface thermal feedback including a temperature sensor 26 to monitor the temperature of a cold plate 30. See Figure 1 and column 3, lines 34-39. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the computer cooler of Tsuji et al. with a temperature sensor that monitors the temperature of the cold plate, as taught by May et al., since the device of May et al. would lessen the amount of heat retained by the cooler of Tsuji et al. and thereby provide safer handling by a user.

Referring to claim 33, Tsuji et al. in view of May et al. disclose the apparatus as claimed, further comprising a temperature sensor 54 within the computer cooler or docking station 48 to monitor at least one component 22 of the cooling system to further aid in controlling the degree of cooling achieved by the cooling system. See Figure 3 and column 4, lines 16-25 of May et al.

Referring to claim 39, Tsuji et al. in view of May et al. disclose a method as claimed, including basing the controlling of the transferring of heat from the cold plate 30 on input received from a temperature sensor monitoring a component of a cooling system within the computer cooler. See Figure 1 and the corresponding specification.

Referring to claim 40, Tsuji et al. in view of May et al. disclose a method, wherein monitoring a component of the cooling system within the computer cooler comprises monitoring the temperature of the cold plate. See Figure 3 and the corresponding specification.

Claims 30 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuji et al. in view of U.S. Patent No. 6,453,378 to Olson et al. Tsuji et al. disclose the claimed cooler and apparatus comprising the same, except for the cooling system having a compressor, an evaporator, a condenser and a refrigerant. Olson et al. disclose a portable computer (110) with docking station (112), utilizing refrigerative cooling, provided by a compressor (816) and refrigerant filled coil (814). Although Olson et al. does not expressly disclose an evaporator and condenser, such elements are well known and conventional in refrigerative cooling systems. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the cooling apparatus and method of using the same of Tsuji et al. to include refrigerative cooling, as taught by Olson et al., since this type of cooling does not usually require a high fan speed, which causes unwanted noise while using the computer apparatus.

Response to Arguments

Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

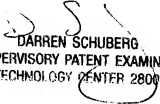
the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Q. Edwards whose telephone number is 703-605-4214. The examiner can normally be reached on M-F (7:30-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (703) 308-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-1782.

aqe
October 21, 2003


DARREN SCHUBERG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800